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| 10/766,972 | 01/29/2004 | Edward A. Hubbard | PRAS0012 | 4334 |

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| EXAMINER | |
|---|---|
| COX, NATISHA D | |

| ART UNIT | PAPER NUMBER |
|---|---|
| 2448 | |

| NOTIFICATION DATE | DELIVERY MODE |
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| 10/12/2010 | ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

usptocorrespondence@sbmc-law.com

| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/766,972 | HUBBARD ET AL. | |
| | Examiner | Art Unit | |
| | NATISHA COX | 2448 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *24 June 2010*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)☒ Claim(s) *18-22,24-26,28,30-34,36-38,40 and 41* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *18-22,24-26,28,30-34,36-38,40 and 41* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *09/02/10,09/02/10*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

**DETAILED ACTION**

This action is responsive to the amendment filed on 06/24/10.

Claims 18- 20 and 30- 32 have been amended.

Claims 23, 27,29,35,39 and 42-53 were previously canceled.

No claims new claims have been added.

***Response to Arguments***

Applicant's arguments filed 06/24/10 have been fully considered but they are not persuasive.

In reference to applicants argument that the cited documents do not teach or suggest, "providing to a MPDN server pertinent information, to enable the MPDN server to distribute...the pertinent information to one or more client systems..., wherein the pertinent information includes the type of requesting device, " as recited in claim 18, examiner respectfully disagrees. Applicant specifically argues that Armentrout fails to teach or suggest that the job characteristics are distributed to the providers. However, examiner does not rely on Armentrout as disclosing "distributing the pertinent information to one or more client systems. Applicant further argues that even though Fiedorowicz's transcoder makes the determination "based on the device type of the requesting device," Fiedorowicz fails to teach or suggest that any other entity (other than the client device), distributes the device type of the client device to the transcoder. However, as disclosed by Fiedorowicz (col. 7 line 28- 35) some or all of the elements

310-330 may be distributed amongst a plurality of devices, (Fiedorowicz further discloses that the transcoder may even be located on the client), suggesting that the transcoder is a separate element from the server. Fiedorowicz also teaches the client device sends a request message for a particular document and the **server** will pass the document to the transcoder .... the transcoder determines which ones of the multiple style sheets to use, this determination is made based on the device type of client device requesting the document, inherently assuming that the transcoder receives the device type of the requesting device. However, there is no indication within Fiedorowicz that the transcoder receives the device type from the client device. Assuming that the transcoder and the style sheet repository are separate elements from the server, and the server passes the document to the transcoder, the transcoder must know the type of client device in order to determine which one of the style sheets to use.

Armentrout discloses the client makes request for execution of a task, the CTS receives the task from the client and distributes them (the task) to one or more providers, where the client is the requesting device as claimed, the CTS is the MPDN server as claimed and the one or more providers are the one or more client systems. In combination with Fiedorowicz where the client device is the requesting device as claimed, the server is the MPDN server as claimed and the transcoder is the one of the one or more client systems, and the server of Fiedorowicz passes the document to the transcoder, the transcoder must receive the type of requesting device in order to determine which style sheet to use. It is further submitted by the examiner that in distributing a task in a parallel or distributed system, where the request is a request to

perform a computation, the parameters or values to complete the requested computation must be received in order to complete the computation. Therefore, the request would include the needed information (parameter or values), which would then have to be passed to the providers in order to complete the task. In referring to this description, the task would be the conversion and the parameters or values would be the (type of requesting device).

All remaining claims depend on and incorporate all the limitations of claims 18 and 30, thus stand rejected under the same reason presented in connection with the rejection set forth in the prior office action dated 03/25/10.

***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

2. Claims 18, 19, 22, 24, 26 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armentrout et al (US Patent No. 6,463,457 referred herein after as Armentrout) and further in view of Fiedorowicz et al (US Patent No 7,134,073 referred herein after as Fiedorowicz).

***As per claim 18, a method of operating a distributed processing system to provide data conversion services, comprising:***

***receiving a request from a requesting device*** (Armentrout, col. 5 line 2-3; clients make request)***; and providing to a massively parallel distributed network (MPDN) server pertinent information*** (Armentrout, col. 5 line 9- 12; job characteristics)***, to enable the MPDN server to distribute (i) the requested data and (ii) the pertinent information to one or more client systems to complete requested task*** (Armentrout, col. 5 line 64-66 when a CE receives a task assignment from the CTS, it downloads the data and executable elements required)***,***

***Armentrout does not disclose a data conversion of requested data, the data conversion of the requested data based upon a type of the requesting device, wherein the pertinent information includes the type of the requesting device.***

***However, Fiedorowicz discloses a data conversion of requested data*** (Fiedorowicz, col. 2 line 39- 41; col. 3 line 42- 47; transforming the document)***, the data conversion of the requested data based upon a type of the requesting device*** (Fiedorowicz, col. 8 line 8- 11; determination is made based on the device type of the client requesting the XML document)***, wherein the pertinent information includes the type of the requesting device*** (Fiedorowicz, col. 7 line 48- 51; where the document is the requested data, col. 8 line 8- 11)***.***

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Fiedorowicz's teaching of enabling composite style sheet application to multi-part electronic documents***

***into Armentrout's teaching of utilization of networked idle computational processing power because one of the ordinary skill in the art would have been motivated to transform one document type to another in order to present the document for display on a particular device.***

***As per claim 19, claim 18 is incorporated and Armentrout further discloses sending a software agent to at least one of the one or more client systems for completing the data conversion of the requested data*** (Armentrout, col. 5 line 65-66).

***As per claim 22, claim 18 is incorporated and Armentrout does not disclose wherein the requesting device is a wireless device and the data conversion of the data set reformats a content of a network site generating a reformatted content so that the reformatted content conforms to a protocol of the wireless device .***

***However, Fiedorowicz discloses wherein the requesting device is a wireless device*** (Fiedorowicz, col. 2 line 44- 54) ***and the data conversion of the data set reformats a content of a network site generating a reformatted content so that the reformatted content conforms to a protocol of the wireless device*** (Fiedorowicz, col. 3 line 47- 50, col. 10 line 61- 64, col. 11 line 44- 45).

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Fiedorowicz's teaching of enabling composite style sheet application to multi-part electronic documents into Armentrout's teaching of utilization of networked idle computational***

***processing power because one of the ordinary skill in the art would have been motivated to transform one document type to another in order to present the document for display on a particular device.***

***As per claim 24, claim 18 is incorporated and Armentrout does not disclose enabling at least one of the one or more client systems to communicate a completed data conversion result directly to the requesting device.***

***However, Fiedorowicz discloses enabling at least one of the one or more client systems to communicate a completed data conversion result directly to the requesting device*** (Fiedorowicz, col. 8 line 31- 33, line 37- 40).

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Fiedorowicz's teaching of enabling composite style sheet application to multi-part electronic documents into Armentrout's teaching of utilization of networked idle computational processing power because one of the ordinary skill in the art would have been motivated to send the resulting document to the client device.***

***As per claim 26, claim 18 is incorporated and Armentrout further disclose comprising allocating at least one of the one or more client systems to perform data conversion of requested data for requesting devices as with priority over other processing the one or more client systems may perform*** (Armentrout, col. 5 line 49-50, col. 11 line 36- 40).

***As per claim 28, claim 18 is incorporated and Armentrout further discloses wherein distributing the requested data and the pertinent information depends upon capabilities of the one or more client systems*** (Armentrout, col. 3 line 6- 12).

3. Claims 20, 21, 25, 30- 34, 36- 38, 40 and 41 are rejected under 35 U.S.C. 103(a) as being unpatentable over Armentrout, Fiedorowicz and further in view of Kraft et al (US Patent No. 6,112,225 referred herein after as Kraft).

***As per claim 20, claim 18 is incorporated and neither Armentrout nor Fiedorowicz discloses further receiving one or more completed data conversion results from at least one of the one or more client systems; and assembling the one or more completed data conversion results thereby generating a converted data set corresponding to the requested data.***

***However, Kraft discloses receiving one or more completed data conversion results from at least one of the one or more client systems*** (Kraft, col. 2 line 35; col. 7 line 57-58)***; and assembling the one or more completed data conversion results thereby generating a converted data set corresponding to the requested data*** (Kraft, col. 2 line 42-44; col. 7 line 59- 61).

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Kraft's teaching of task***

***distribution into Armentrout's and Fiedorowicz's teaching because on of the ordinary skill in the art would have been motivated to compile or modify the results to provide a comprehensive output.***

***As per claim 21, claim 20 is incorporated and Armentrout further discloses sending the converted data set to the requesting device*** (Armentrout, col. 5 lines 19- 21).

***As per claim 25, claim 24 is incorporated and neither Armentrout nor Fiedorowicz discloses wherein the requesting device receiving the results of the N partitioned data conversion workloads assemblies the results into a converted data set corresponding to the data set.***

***However, Kraft discloses wherein the requesting device receiving the results of the N partitioned data conversion workloads assemblies the results into a converted data set corresponding to the data set*** (Kraft, col. 7 lines 57- 61).

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Kraft's teaching of task distribution into Armentrout's and Fiedorowicz's teaching because on of the ordinary skill in the art would have been motivated to compile or modify the results to provide a comprehensive output.***

***As per claim 30, a massively parallel distributed network (MPDN) server configured to be coupled to distributed devices*** (Armentrout, Fig. 1)***, wherein the distributed devices perform workloads for the distributed processing system*** (Armentrout, col. 2 line 40- 60)***; wherein the MPDN server is further configured to:***

***receive a workload and pertinent information*** (Armentrout, col. 5 line 9- 12)***, a data conversion*** (Fiedorowicz, col. 2 line 39- 41; col. 3 line 42- 47) ***and wherein the workload is generated by receiving a request from the requesting device*** (Armentrout, col. 5 line 2- 3)***; wherein the pertinent information includes a type of a requesting device*** (Fiedorowicz, col. 7 line 48- 51; where the document is the requested data, col. 8 line 8- 11) ***and to complete a data conversion of a data set based upon the type of the requesting device*** (Fiedorowicz, col. 8 line 8- 11)***.***

***Neither Armentrout nor Fiedorowicz disclose partition the workload into partitioned data conversion workloads, and distribute the partitioned workloads to the distributed devices to complete a data conversion of the data set.***

***However, Kraft discloses circuitry coupled to the MPDN server for partitioning the workload into partitioned data conversion workloads*** (Kraft, col. 7 line 9- 10)***, and circuitry coupled to MPDN server for distributing the partitioned workloads to the distributed devices to complete a data conversion of the data set*** (Kraft, col. 7 line 29- 31)***.***

***Therefore, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to incorporate Kraft's teaching of task distribution into Armentrout's and Fiedorowicz's teaching because on of the***

***ordinary skill in the art would have been motivated to efficiently complete the workload by spreading the load among multiple computers.***

***As per claims 31- 34, 36- 38 and 40,*** they are the system claims, corresponding to and does not teach or define any new limitations, above claims 18- 22, 24- 26 and 28. Therefore, claims 31- 34, 36- 38 and 40 are rejected under the same reason set forth in connection with the rejection of claims 18- 21, 24- 26 and 28 above.

***As per claim 41, claim 40 is incorporated and Armentrout discloses wherein the partitioned workloads are allocated to the distributed devices on a size basis wherein ones larger of the partitioned workloads are allocated to corresponding ones of the distributed devices with larger workload capability factors*** (Armentrout, col. 11 line 29- 31)**.**

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Natisha Cox whose telephone number is (571) 270-7167. The examiner can normally be reached on Monday to Thursday and every other Friday, 6:30am - 4:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571)272-6703. The fax phone number for the organization where this application or proceeding is assigned is (571) 273-8000.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pairdirect.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO

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/NATISHA COX/
Examiner, Art Unit 2448
9/27/2010

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